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February 12, 2010

Delivered via ECF

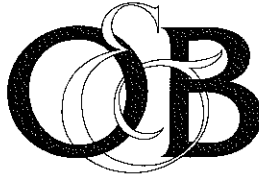
The Hon. United States Magistrate Judge
Judge Arlene Rosario Lindsay
United States District Court
Eastern District of New York
U.S. Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *RMS Insurance Brokerage, LLC v. JLT Insurance Management, et al.*
Index No.: 08-CV-1414 (JFB)(ARL)
Our File No.: 3316-017

Dear Judge Lindsay:

We represent plaintiff RMS Insurance Brokerage, LLC ("RMS") in the above-captioned case. We write at the close of discovery to apprise the Court of the parties' progress and for leave to address the two remaining discovery issues on consent.

By way of background, today is the deadline for all discovery exchanges, including expert discovery, and the parties must submit their respective letter requests for a pre-motion conference for summary judgment motions by February 26, 2010. The parties have, for all intents and purposes completed discovery. In addition to the hundreds of thousands of pages of written material exchanged, we have completed approximately 11 days of party depositions, 9 days of non-party depositions, and completed expert depositions just this week. The parties have cooperated throughout discovery and, to date have, not required court intervention; nor is any such intervention expected.



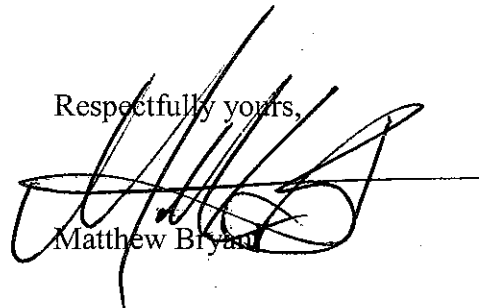
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We write, however, with respect to two remaining depositions as each side has agreed to produce a final fact witness. First, RMS and JLT have agreed to split the costs to bring JLT's compliance officer, Mr. Julian Garrish, from Bermuda to New York for a deposition in March 2010. Likewise, RMS has agreed to produce its Chief Financial Officer, Mr. John Read, for a deposition in March 2010 related to the CFO's involvement in expert discovery as RMS' econometrics expert testified, on February 11, 2010, that the CFO performed certain functions on which the expert relied and there were communications between the expert and witness as evidenced by the expert's invoices.

Due to a myriad of scheduling issues, including most recently plaintiffs' last minute request to find a rebuttal expert after we belatedly discovered ours had been diagnosed with cancer (the cause of the last scheduling extension) and the cooperative push to complete expert discovery by today, these final two issues remain outstanding. While the parties remain willing to proceed on consent and depose these witnesses after the deadline, we believe it only prudent to advise the Court and request formal leave to do so should unanticipated events require enforcement of this cooperative agreement.

Accordingly, plaintiffs and defendants request leave to conduct the depositions of Julian Garrish and John Read in March 2010.

Respectfully yours,



Matthew Bryan

MXB/dvd